

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PETER CARBAJAL,

Petitioner,

No. C 08-2961 PJH (PR)

vs.

ORDER OF DISMISSAL

A. HEDGPATH, Warden,

Respondent.

This pro se habeas action was filed on June 13, 2008. On that same day the court notified petitioner that he had neither paid the five dollar filing fee nor submitted an application for leave to proceed in forma pauperis. A copy of the court's form for applications to proceed in forma pauperis was provided with the notice, along with a return envelope. Petitioner was informed that if he did not either pay the fee or file the application within thirty days the case would be dismissed. No response has been received.

This case is therefore **DISMISSED** without prejudice. The clerk shall close this file.

IT IS SO ORDERED.

Dated: July 24, 2008.



PHYLLIS J. HAMILTON
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

PETER CARBAJAL,

Petitioner,

v.

A HEDGPATH et al,

Respondent.

Case Number: CV08-02961 PJH

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 24, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Peter Carbajal P22467
Kern Valley State Prison
P.O. Box 5104
Delano, CA 93216

Dated: July 24, 2008



Richard W. Wieking, Clerk
By: Nichole Heuerman, Deputy Clerk